



Comptroller General
of the United States
Washington, D.C. 20548

Decision

Matter of: MManTec, Inc.
File: B-254596.3
Date: October 25, 1994

DECISION

MManTec, Inc. protests the reopening of discussions by the Environmental Protection Agency under request for proposals (RFP) No. D300147Q2.

We dismiss the protest as untimely because it was filed more than 10 working days after the protester initially received actual knowledge of the denial of its agency-level protest.

Our Bid Protest Regulations contain strict rules requiring timely submission of protests with our Office. Where a protest initially has been filed with a contracting activity, any subsequent protest to our Office, to be considered timely, must be filed within 10 working days of "actual or constructive knowledge of initial adverse agency action." 4 C.F.R. § 21.2(a)(3) (1994). These timeliness rules reflect the dual requirements of giving parties a fair opportunity to present their cases and resolving protests expeditiously without unduly disrupting or delaying the procurement process. Air Inc.--Recon., B-238220.2, Jan. 29, 1990, 90-1 CPD ¶ 129. In order to prevent those rules from becoming meaningless, exceptions are strictly construed and rarely used. Id.

Here, MManTec filed an agency-level protest in January and concedes that it received notice of the denial of that protest in March, yet it filed its protest raising the identical grounds with our Office only on September 28. Accordingly, the protest with our Office was not timely filed.

The protest is dismissed.

A handwritten signature in cursive script, reading "Paul Lieberman".

Paul Lieberman
Assistant General Counsel